

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**KENNETH CHARLES O'NEIL,  
Plaintiff,**

**Case No. 2:17-cv-978**

**v.**

**CHIEF JUDGE EDMUND A. SARGUS, JR**

**NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,  
Defendant.**

**Magistrate Judge Elizabeth A. Preston Deavers**

**OPINION AND ORDER**

This matter is before the Court on the Motion (ECF No. 19) and Joint Stipulation (ECF No. 21) for an Award of Attorney Fees under the Equal Access to Justice Act, which are hereby GRANTED. Plaintiff and Defendant, by their respective counsel, stipulate to an award to Plaintiff of attorney fees and costs in the amount of \$5,200.00, in full satisfaction and settlement of any and all claims Plaintiff may have under the Equal Access to Justice Act ("EAJA") in the above case. The award of attorney fees will satisfy all of Plaintiff's claims for fees, costs, and expenses under 28 U.S.C. §§ 1920 & 2412 in this case. Any fees paid belong to Plaintiff, and not his attorney, can be offset to satisfy pre-existing debt that the litigant owes the United States under *Astrue v. Ratliff*, 560 U.S. 586 (2010). Plaintiff and Defendant move that the Court award Plaintiff EAJA fees and costs of \$5,420.76.

After this award is entered, if counsel for the parties can verify that Plaintiff owes no pre-existing debt subject to offset, the Defendant agrees to direct that the award be made payable to Plaintiff's attorney pursuant to the EAJA assignment duly signed by Plaintiff and counsel.

**IT IS SO ORDERED.**

10-30-2018  
**DATE**

  
**EDMUND A. SARGUS, JR.  
CHIEF UNITED STATES DISTRICT JUDGE**